

### REMARKS

Applicant amended claims 1, 2, 4, 9, 12, 16, and 17, and canceled claim 6. Claims 1-5, 7-13, 16, 17, and 19 are presented for examination.

The Examiner objected to the drawings under 37 C.F.R. 1.84(p)(4) because reference character "35" had been used to designate a belt and a traveling lead. Applicant amended the specification and Figure 1 to address the objection, and requests that the objection be withdrawn.

The Examiner objected to claims 4, 6, 9, and 17 because of certain informalities. Claim 6 has been canceled. Applicant amended claims 4, 9, and 17 to address the objections, and requests that the objection be withdrawn.

The Examiner rejected claims 16, 17, and 19 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant amended claim 16 and 17 to address the rejection, and requests that the rejection be withdrawn. Claim 19 appears to be definite.

The Examiner rejected claims 1-5, 7, 11, 16, 17, and 19 under 35 U.S.C. § 102(e) as anticipated by Kano ('171). As indicated in a telephonic exchange, the Examiner relied on U.S. Patent No. 5,784,171 ("Kano"). Kano was not listed on a Form PTO-892, so Applicant requests that the Examiner lists Kano on a subsequent form.

Applicant amended the independent claims (1 and 16) to include the features of claim 6 (now canceled). Claim 6 was not rejected as anticipated by Kano, and therefore, the § 102 rejection should be withdrawn. Applicant notes that claims 16, 17, and 19 were not otherwise rejected, so these claims should be passed to allowance.

The Examiner rejected claims 1, 6, 8-10, 12, and 13 under 35 U.S.C. § 103(a) as being unpatentable over Look in view of Kano. The Examiner did not indicate which Look patent (U.S. Patent No. 5,818,492 or 5,847,743) he relied on, but since the '743 patent is a continuation of the '492 patent, Applicant will refer to U.S. Patent No. 5,818,492 ("Look") in addressing the rejection.

The Examiner acknowledged that Look does not describe a method of printing information on each article of a set of articles arranged in generally parallel lanes, and relied on Kano for this feature. The sole motivation for modifying Look to print on articles arranged in

generally parallel lanes is, according to the Examiner, because Kano apparently teaches that this is advantageous for improving productivity. But the Examiner's provided motivation for combining the references is inconsistent with the disclosure of Look.

Look is focused on printing indicia to a sheeting, such as a retroreflective sheeting that can be applied to roadway signs to display information to drivers. According to Look, its printing method is capable of printing on sheetings of large and varying widths efficiently, inexpensively, and with high quality. (See, e.g., Look col. 9, line 59, to col. 11, line 5.) As the Examiner correctly acknowledged, nothing in Look suggests applying its printing method to articles arranged in generally parallel lanes. Look is clear: "Sheeting 46 may take the form of, for example, a continuous roll of sheeting or a number of individual sheets each fed individually past print head 44." (Id. col. 4, lines 40-42.) What is more, nothing in Look suggests a deficiency in productivity. Rather, as indicated above, Look is clear that its printing method is productive in that it can operate at low cost and reduced waste, and can accommodate different widths. Thus, not only is productivity not a problem, but Look specifically touts that its printing method enhances productivity. And since Look stresses the ability to accommodate sheetings of different widths, one skilled in the art reading Look and wanting to increase production would do so by increasing the widths of the sheetings. The skilled person would not be motivated to modify Look to print on a set of articles arranged in generally parallel lanes because nothing in Look suggests such a different arrangement. The rejection, if maintained, would be based on improper hindsight reasoning. In light of the above remarks, Applicant requests that the § 103(a) rejection be reconsidered and withdrawn.

Applicant believes the claims are in condition for allowance, which action is requested.


Applicant : Alan Coull  
Serial No. : 09/831,331  
Filed : May 8, 2001  
Page : 10 of 10

Attorney's Docket No.: 11033-064001 / H09867US

Enclosed are a Petition for Extension of Time with the required fee, and a Supplemental Information Disclosure Statement. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: July 18, 2003

  
\_\_\_\_\_  
Tu N. Nguyen  
Reg. No. 42,934

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20692395.doc